

# The Gazette of India



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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 12th August, 1959 :—

Issue No.	No. and date	Issued by	Subject
119.	S.O. 1771, dated 7th August, 1959.	Ministry of Steel, Mines and Fuel.	Appointment of date on which the Coal Grading Board (Re-peal) Act, 1959 shall come into force.
120.	S.O. 1772, dated 8th August, 1959.	Ministry of Information and Broadcasting.	Approval of films specified therein.
121	S.O. 1808, dated 12th August, 1959.	Ministry of External Affairs.	Order that August 15, 1959, shall be a paid Holiday for all Textile mills in Pondicherry—other details specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—SECTION 3—Sub-section (ii)**

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**MINISTRY OF HOME AFFAIRS**

New Delhi, the 10th August 1959

**S.O. 1811.**—In pursuance of sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendment in the Schedule to the notification of the Government of India

in the Ministry of Home Affairs No. S.R.O. 628, dated the 28th February, 1957, namely:—

In Part II of the said Schedule, under the heading "Delhi Special Police Establishment", sub-heading "Branch Offices", for "All non-police posts" in column 1 and all the entries relating thereto in columns 2 to 5, the following shall be substituted, namely:—

1	2	3	4	5
"Senior Clerk Stenos; Lower Division Clerks	Superintendent of Police	Superintendent of Police	All	Deputy Inspector General of Police.
All other non-police posts	Deputy Inspector General of Police	Deputy Inspector General of Police.	All	Inspector General of Police.
		Superintendent of Police	(i) to (iii)	Deputy Inspector General of Police."

[No. F. 15/17/59-VIG.]

T. C. A. RAMANUJACHARI, Dy. Secy.

New Delhi, the 12th August 1959

**S.O. 1812.**—In pursuance of clause (b) of rule 2 of the Citizenship Rules, 1956, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Home Affairs No. 10/3/56(i)-IC dated the 29th August, 1956, namely:—

In the Schedule to the said notification, against each of the entries 'Dehradun', 'Saharanpur', 'Meerut', 'Agra', 'Bareilly', 'Moradabad', 'Kanpur', 'Allahabad' and 'Lucknow' under the heading "Name of the district" in column 1, for the entry,

"District Relief and Rehabilitation Officer and Settlement Officer" in column 2, the following entry shall be substituted, namely:—

"City Magistrate".

[No. 10/8/59-I.C.]

FATEH SINGH, Jt. Secy.

### MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 10th August 1959

**S.O. 1813.**—In pursuance of sub-section (2) of Section 7 of the Port Haj Committee Act 1932 (XX of 1932), the Central Government is pleased to publish the following list of names of all members nominated, elected and co-opted as members of the Port Haj Committee of Bombay.

#### Nominated

1. Shri N. S. S. Narayan, Port Health Officer, Bombay.
2. Shri M. M. Sethna, Deputy Docks Manager, Bombay Port Trust.
3. Shri G. N. Kowshik, Executive Health Officer, Bombay Municipal Corporation, Bombay.
4. Shri T. Berry, Principal Officer, Mercantile Marine Department, Bombay
5. Shri R. U. Chaudhury, Divisional Superintendent, Western Railway, Bombay.
6. Shri M. S. Kashbekar, I.P.S., Deputy Commissioner of Police, Bombay.
7. Shrimati Khadya Shuffi Tyabji.

*Elected*

1. Shri Mohamed Yusuf Haji Umer Patel.
2. Shri Ishbakbhai Abbasbhai Bandukwala
3. Shri Md. Safdarali Mohd. Sujaatali, M.L.A.
4. Capt. Mohd. Hussein Abdul Samad Golandaz.
5. Shri Fakih Mustafa Gulam Nabi.
6. Shri Moinuddin Burhanuddin Harris, M.L.C.
7. Shri Salabhai Abdul Kadar, M.L.A
8. Shri Md. Ummer Kokil.

*Co-opted*

1. Haji Shri Yusuf Miyaji, Lokhandawala Chawl, Arab Lane, Bombay.
2. Shrimati Shirin Somjee, 113, Dani Bungalow, Walkershwar Road, Bombay.
3. Shri Haji F. K. Azami, Opposite J. J. Hospital, Bombay.
4. Shri Haji Ahmed Haji Abdulla, 220, Cutlery Bazar, Bombay-2.

[No. F. 18(9)-IAT/59.]

P. N. KAUL, Dy. Secy.

*New Delhi, the 13th August 1959*

**S.O. 1814.—App/PE/59-5.**—In exercise of the powers conferred under Sub-section (1) of Section 5 of the Indian Emigration Act, 1922, the Controller General of Emigration has been pleased to appoint Shri B. Roychowdhury, Superintendent (Emi), Regional Passport and Emigration Office, Calcutta, to perform all the duties of the Protector of Emigrants, under the said Act at the port of Calcutta with effect from the afternoon of the 14th July, 1959, vice Shri K. E. Krishnamachary, transferred to Madras.

[No. F. 6(23)PV(IV)/59.]

*New Delhi, the 17th August 1959*

**S.O. 1815.—**In exercise of the powers conferred by sub-section (1) of Section 5 of the Indian Emigration Act, 1922, the Controller General of Emigration has been pleased to appoint Shri K. Narayananamurti, Public Relations Officer (Emigration) Bombay, to perform all the duties of the Protector of Emigrants under the said Act at the port of Bombay with effect from the afternoon of the 3rd August, 1959, vice R. S. Chavan.

[No. C.P.E.O./28/59.]

[No. F. 6(14)PV(IV)/59.]

S. N. SHEOPORI, Under Secy.

**MINISTRY OF FINANCE**

**Dept. of Expenditure)**

*New Delhi, the 24th June 1959*

**S.O. 1816.—**In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148, of the Constitution, and all other powers enabling him in this behalf, the President, after consultation with the Comptroller and

Auditor General of India in relation to persons employed in the Indian Audit and Accounts Department, hereby makes the following further amendments to the Civil Service Regulations namely:—

In article 907 of the said Regulations, for the words and figures 'in Form 27' the words and figures 'in Form 30' shall be substituted.

[No. F. 7(6)-EV/58.]

R. S. BERY, Dy. Secy.

## (Department of Economic Affairs)

New Delhi, the 12th August 1959

**S.O. 1817—Statement of the Affairs of the Reserve Bank of India, as on the 7th August 1959.**

## BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	11,31,50,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	2,88,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	30,00,00,000	Subsidiary Coin . . . . .	4,78,000
National Agricultural Credit (Stabilisation) Fund . . . . .	4,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal . . . . .	95,36,000
(a) Government . . . . .		(b) External . . . . .	13,43,60,000
(1) Central Government . . . . .	53,37,36,000	(c) Government Treasury Bills . . . . .	27,40,44,000
(2) Other Governments . . . . .	13,19,67,000	Balances held abroad* . . . . .	70,07,05,000
(b) Banks . . . . .	76,59,99,000	**Loans and Advances to Governments . . . . .	319,31,15,000
(c) Others . . . . .	161,95,30,000	Other Loans and Advances† . . . . .	9,99,65,000
Bills Payable . . . . .	19,67,91,000	Investments . . . . .	
Other Liabilities . . . . .	9,66,18,000	Other Assets . . . . .	
TOTAL . . . . .	452,56,41,000	TOTAL . . . . .	452,56,41,000

\*Includes Cash &amp; Short term Securities.

\*\*Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 50,00,000 advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 12th day of August, 1959.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 7th day of August 1959.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	11,31,50,000		A. Gold Coin and Bullion :-		
Notes in circulation	1688,91,03,000		(a) Held in India .	117,76,03,000	
Total Notes issued		1700,22,53,000	(b) Held outside India	..	
			Foreign Securities	163,00,89,000	
			TOTAL OF A.	280,76,92,000	
			B. Rupee Coin	133,29,06,000	
			Government of India Rupee Securities	1286,16,55,000	
			Internal Bills of Exchange and other commercial paper	..	
TOTAL—LIABILITIES		1700,22,53,000	TOTAL—ASSETS		1700,22,53,000

Dated the 12th day of August, 1959.

H. V. R. IENGAR,  
Governor

[No. F. 3(2)-BC/59.]

A. BAKSI, Jt. Secy.

## (Department of Revenue)

## ESTATE DUTY

New Delhi, the 17th August 1959

**S.O. 1818.**—In exercise of the powers conferred by Sub-section (3) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Government hereby appoints the persons whose names are given in the Appendix as Valuers for the purposes of the said Act for a period of three years from the date of this notification.

2. The Scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below and no such Valuer shall charge a fee at a Scale higher than the Scale so fixed.

*Scale of Charges*

On the first Rs. 50,000/- of the property so valued.  $\frac{1}{2}\%$  of the value.

On the next Rs. 1,00,000/- of the property so valued.  $\frac{1}{4}\%$  of the value.

On the balance of the property so valued  $\frac{1}{8}\%$  of the value.

## APPENDIX

*I. Engineers/Surveyors/Architects.*

Sl. No.	Name	Address
1	Shri Dave, V. H., B.E., A.M.I.E.	Dave Bungalow, Vallabhai Patel Road, Borivali, Bombay-48.
2	Shri Mascarenhas, Eric P., B.E., A.M.I.F. (Ind.), M.R.San. I. (Lon.)	"Wl—Wurri" Main Avenue, Santa Cruz, Bombay-23
3	Shri Mistri, M.J.P., A.R.I.B.A., A.I.I.A.	C/o M/s. Ditchburn & Mistry & Bhedwar, Jehangir, Wadia Building, 49-51, Mahatma Gandhi Road, Fort, Bombay.
4	Shri Patankar, R.S., B.E., A.M.I.E. Ind.)	C/o R. S. Patankar & Co., Medows House, Medows Street, Fort, Bombay.
5	Shri Sanghvi, M.G., B.E., A.M.I.E. (Ind.)	C/o Pandit & Sanghvi, Bouna Casa Building, Sir Pherozshah Mehta Road, Fort, Bombay.
6	Shri Vaidya, C.D., A.R.I.B.A., A.I.I.A.	C/o D. R. Vaidya & Co., Karim Chambers, Hamam Street, Fort, Bombay.
7	Shri Asarpota, D.M., L.R.I.B.A. (Lon.) M.I. Struct. E. (Lon.), F.I.A.A. & S (Lon.), A.I.I.A	C/o. Asarpota & Asarpota, Chimanlal Giridharas Building, Laladarwaja, Ahmedabad 1.
8	Shri Desai, D.R., B.E., A.M.I.E. (India)	Ramnivas, Nanabhai Road, Near Besant Hall, Surat.
9	Shri Ramchandani, N.R., B.E., M.I.E., A.M.I.P.H.E.	Retired Superintending Engineer, C.P.W. D.C-298, Defence Colony, New Delhi-3.
10	Shri Khanna, M.R., B.Sc., (Leeds), M.I.E. (India)	C/o. Chief Engineer, Western Command, Simla.
11	Shri Saindhvi, GR., A.M.I.E.	Retired Executive Engineer, Nurmalah, Distt. Jullundur, Punjab.
12	Shri Bagchi, C.C., B.E., M.I.E. (Ind.)	C-1053/1054, Mahanagar, Lucknow.
13	Shri Mavalankar, R.W., B.Sc., B.E., M.I.E.	"Utkarsh" Kharar Town, Nagpur-1.

*II. Specialist in Jewellery, Precious Stones and Ornaments.*

1	M/s. A. Rethinam Chettiar & Sons.	Mayuram, Madras State.
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**S.O. 1819.**—In exercise of the powers conferred by Sub-section (3) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Government hereby appoints the persons whose names are given in the Appendix as Valuers for Coffee Estates for the purposes of the said Act for a period of three years from the date of this notification.

The Scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below and no such Valuer shall charge a fee at a Scale higher than the Scale so fixed.

*Scale of Charges*

On the first Rs. 50,000/- of the property so valued	$\frac{1}{2}\%$ of the value.
On the next Rs. 1,00,000/- of the property so valued	$\frac{1}{4}\%$ of the value.
On the balance of the property so valued . . .	$\frac{1}{8}\%$ of the value.

**APPENDIX**

Sl. No.	Name	Address
1	Shri Aiyapa, K.A. . . . .	Manager, Yemmigoondi Estates, Pollibetta, P.O. South Coorg, Mysore State.
2	Shri Davis, P.W. . . . .	Manager, Kaimabettu, Estate, Pollibetta, South Coorg, Mysore State.
3	Shri Deenadayalan, W.P.A.S. . . . .	Planter, Pattiveeranpatti P.O., Madurai District, Madras State.
4	Shri Foster, F.G. . . . .	C/o Coffee Lands & Industries (Mysore) Ltd., Saklespur P.O., Hassan District, Mysore State.
5	Shri Iyer, Dharmaraja, M.A. . . . .	Member, Coffee Board, Madakkimala P.O., via Manantoddy, S. Wynad, Kerala.
6	Shri Rajes, M.S.P. . . . .	Coffee Planter, "Spring Haven," Yercaud.
7	Shri Bakre, R.V. . . . .	Coffee Planter, Sitaram Estate, Javali P.O., Chickmagalur District, Mysore State.
8	Shri Mathias, A.J. . . . .	Coffee Planter Someshwarkhan Estate, Basrikatte P.O., Chickmagalur District, Mysore State.
9	Shri Menon, K. K. R., B.Sc, (Agr.)	Manager, Guynestate, Naduvatam P.O. Nilgiris.
10	Shri Nagarajan, W.P.A.R.W. . . . .	Planter, Pattiyeetanpatti, Madurai District, Madras State.
11	Shri Yesuthasen, J. . . . .	Planter, Thamaiai Villa, Coonoor, Nilgiris.

[No. 31/F. No. 5/151/58-ED.]

D. SUBRAMANIAN, Dy. Secy.

**CENTRAL EXCISE COLLECTORATE, DELHI**

New Delhi, the 12th August, 1959

**S.O. 1820.**—In exercise of the powers conferred on me under Rule 233 of Central Excise Rules 1944, I hereby direct that all the manufacturers of Cotton fabrics in this Collectorate who are required to obtain a licence in form L. 4 under the Central Excise Rules, 1944 shall furnish to the Central Excise officers in charge of their Mills a structure specification sheet supplying the following information in respect of each sort of different varieties of Cotton fabrics manufactured in their Mills:—

- (i) Serial Number.
- (ii) Sort Number.
- (iii) Variety of Cotton fabrics with name, if any.
- (iv) Date of commencement of manufacture or change.
- (v) Count of warp.

- (vi) Number of ends per inch in reed.
- (vii) Count of weft.
- (viii) No of ends per inch in picks.
- (ix) Average Count.
- (x) Width of the fabrics.
- (xi) Standard length of piece.
- (xii) Tariff classification.

2. Similarly manufacturers shall furnish to the Central Excise Officer a specification sheet whenever any new variety of cloth is produced or any change in the existing variety is effected by them.

3. If manufacturers are already furnishing to any other Department of the Central or State Government any structure specification sheet in a different *pro-forma* covering all the information required to be supplied under this notification, it would meet the requirements of this notification if a copy thereof is furnished to the Central Excise Officer concerned.

[No. C. VI(a)/6/2/58/37450.]

B. D. DESHMUKH,  
Collector.

### OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE

#### CENTRAL EXCISE

*Bangalore, the 5th August 1959.*

**S. O. 1821.**—In pursuance of Rule 5 of the Central Excise, Rules, 1944, I empower Central Excise Officers of and above the rank specified in Col. 1 the powers of 'Collector' conferred by the provisions of the Central Excise Rules enumerated in column 2 subject to the limitations set out in column 3 of the Table.

#### TABLE

Rank of Officer	Central Excise Rules	Limitation	
		1	2
1. Superintendent of Central Excise Ditto.	96 'O' (4) 96 'Q' (2)		To condone delays upto 15 days. To condone delays upto 7 days.
2. Assistant Collector of Central Excise Ditto	96 'O' (4) 96 'Q' (2)		To condone delays without limit. To condone delays without limit.

(Issued from file C. No. VI/Y/21/53/59. Br).

[No. 7/59.]

R. C. MEHRA,  
Collector.

### MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 29th July 1959*

**S.O. 1822.**—In exercise of the powers conferred by sub-section (3) of section I of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby appoints the 1st day of April, 1960 as the date on which the

provisions of the said Act in so far as they relate to units of mass shall come into force in respect of factories engaged in the manufacture of biscuits in so far as they undertake sale of biscuits.

[SMC-15(14)/59/ 6]

**S.O. 1823.**—In exercise of the powers conferred by section 14 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby permits, in respect of the undertakings mentioned in the Notification of the Government of India in the Ministry of Commerce and Industry S.O. 1822 dated the 29th July, 1959 the continuance of the use, for a period of two years from the 1st day of April, 1960 of any weight which, immediately before that date, was in use in respect of the said undertakings.

[SMC-15(14)/59/2]

(TRADE MARKS)

New Delhi, the 14th August 1959

**S.O. 1824.**—In exercise of the powers conferred by sub-section (2B) of section 4 of the Trade Marks Act, 1940 (5 of 1940), the Central Government hereby authorises the Registrar of Trade Marks, Bombay, to delegate the functions specified in the schedule hereto annexed to the Joint Registrar of Trade Marks.

THE SCHEDULE

- (1) Power to take hearings in respect of applications for registration, opposition proceedings, rectification and correction of the register, all interlocutory applications and all other matters connected with the above;
- (2) Final orders as to acceptance or refusal of application for registration of trade marks; and
- (3) Applications for entry in the register of assignments and transmissions of registered trade marks and passing final orders on applications for registered users and applications for search in respect of specified goods classified in any one class in the Fourth Schedule to the Trade Marks Rules.

[No. 8(15)-TMP/59.]

K. V. VENKATACHALAM, Jt. Secy.

New Delhi, the 17th August 1959

**S.O. 1825.**—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by The Adoni Groundnutseeds and Oil Merchants' Association Limited, Adoni, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Association on a permanent basis with effect from the 8th September, 1959 in respect of forward contracts in Groundnut Oil.

2. The recognition hereby granted is subject to the condition that the said association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(14)-TMP/FMC/59.]

T. S. KUNCHITHAPATHAM, Under Secy.

ORDERS

New Delhi, the 10th August, 1959

**S.O. 1826/IDRA/6/6.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951, the Central Government hereby appoints Shri H. S. Sinha to be a member of the Development Council for the scheduled industries engaged in the manufacture and production of electric fans, electric lamps, electronic equipment, house-hold appliances (such as electric irons, heaters and the like), storage batteries, dry batteries, telephones, telegraphic equipment, wireless and communication apparatus, radio receivers including amplifiers and public address equipment, television sets, teleprinters, airconditioners and refrigerators, electricity meters and panel instruments and makes the following amendment in the Order of the Government of India in the Ministry of Commerce and Industry S.O. 1030, dated the 1st May, 1959, namely:—

In paragraph 1 of the said Order after entry No. 11A relating to Mr. J. E. Reid, the following entries shall be inserted:—

“11B. Shri H. S. Sinha, Director, M/s. Bharat Electrical Industries Ltd., 52, Hindustan Buildings, 6-A, Surendra Nath Banerjee Road, Calcutta-13”.	“owners”	“Member”
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[No. 4(75)IA(II)(G)/58.]

**S.O. 1827/IDRA/6/7.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri B. K. Dhaon and Shri V. A. Khanolkar as members of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 1607 dated the 7th July, 1959, for the scheduled industries engaged in the manufacture and production of Drugs, Dyes and Intermediates, and directs that the following amendments shall be made in the said Order, namely:—

(a) In the said Order after entry No. 10 relating to Dr. U. P. Basu, the following entry shall be inserted, namely:—

“10A. Shri B. K. Dhaon, 40, Kaisar Bagh, Lucknow.”	“technical knowledge”	Member”
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(b) In the said Order after entry No. 11 relating to Shri V. G. Nimbkar, the following entry shall be inserted, namely:—

“11B. Shri H. S. Sinha, Chemical Mazdoor Sabha, 115, “Satyagiri”, Dadar Main Road, Bombay-14.”	“owners” employed in industrial undertakings”	“Member”
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[No. 4(2)IA(II)(G)/59.]  
A. K. CHAKRAVARTI, Under Secy.

## COAL BOARD

Calcutta, the 6th August, 1959

**S.O. 1828.**—In pursuance of Sub-Rules (6) of Rule 60 of the Coal Mines (Conservation and Safety) Rules, a statement of the accounts of receipts and expenditure of the Coal Board relating to the financial year ending 31st March, 1959 together with the report of the Deputy Director of Audit, Food, Rehabilitation, Supply, Commerce, Steel and Mines, 8/2, Esplanade East, Calcutta thereon is published for general information.

RECEIPTS		Rs.	nP.	PAYMENTS		Rs.	nP.
To Opening balance				A. I. Administration of the Board			
Cash in hand at				(i) By pay of officers . . . .	1,40,801·74		
(i) Calcutta . . . .		6·98		(ii) By pay of staff . . . .	1,86,674·16		
(ii) Dhanbad . . . .		0·00		(iii) By allowance etc. . . .	2,51,454·88		
(iii) Asansol . . . .		0·00		(iv) By contingencies . . . .	75,961·39		
At the State Bank of India in—				(v) By grant in aids . . . .	32,411·85		
(A) Calcutta current account . . . .		11,05,593·38		(vi) Advance for purchase of conveyance . . . .	1,993·73		6,89,297·75
(B) Dhanbad current account . . . .		62,824·33		A2(I). (i) Compulsory stowing for safety . . . .	84,795·95		
(C) Asansol current account . . . .		58,731·95		(ii) Compulsory stowing for conservation . . . .	74,320·26		
(D) Short term fixed deposit . . . .		1,90,00,000·00		(II) (i) Voluntary stowing (safety) . . . .	12,61,903·70		
(E) Invested in Government of India loans (Face value 74,97,000/-)		74,77,439·57	*2,77,04,596·21	(ii) Voluntary stowing (conservation) . . . .	93,95,600·02		
Repayment of loan for purchase of stowing plant . . . .		..		(III) Grant of loan for purchase of stowing plant . . . .	33,883·34		1,08,50,503·27
Excise duty received under Section II . . . .		1,35,70,980·47		A3. Other expenditure connected with the administration of the Act.			
Interest on investment . . . .		..		Refund of stowing excise duty . . . .		73,901·00	
Recovery of rents . . . .		..		A4. (i) Protective works . . . .	4,74,406·17		
Miscellaneous receipts . . . .		..		(ii) Research scheme . . . .	8,019·75		
Fee for up-grading . . . .		..		(iii) Contribution to the Central Mining Research Station . . . .	6,05,269·08		10,87,695·00
Recovery of water charges . . . .		..		A.5. Miscellaneous :			
				(i) Repairs and maintenance of buildings in coalfields . . . .	9,873·31		
				(ii) Lump sum provision for buildings in coalfields . . . .	27,516·18		
				(iii) Lump sum provision for unforeseen expenditure . . . .	29,052·82		66,442·31

Contractor security deposits	..	23,353.85	(iv) Refund of security deposit	12,256.32
			Balance at close :—	
			Cash at Calcutta	166.28
			at Dhanbad	0.00
			at Asansol	0.00
			At State Bank of India :—	
			(i) Calcutta current account	5,111,627.05
			(ii) Dhanbad current account	58,794.24
			(iii) Asansol current account	64,282.90
			(iv) Short term fixed deposit	2,10,00,000.00
			(v) Invested in the Government of India loan	74,77,439.57
				2,91,12,310.04
Total	..	4,18,92,405.69	Total	4,18,92,405.69

\*(Out of which a sum of Rs. 20,002.19 represents contractor's security deposits. (Out of the aggregate a sum of Rs. 31,099.72 represents contractor's security deposits.)

Sd/- P. K. Bose,  
26-6-59  
Accounts Officer,  
Coal Board.

Sd/- A. Zaman,  
26-6-59  
Chairman,  
Coal Board.

Checked and found correct subject to the remarks in the Audit Report.

Sd/- N. S. SARKAR, Asstt. Audit Officer,  
Food, Rehabilitation, Supply, Commerce, Steel and Mines, Calcutta.

[No. GC-9/59-60/11300]

A. ZAMAN,  
Chairman,  
Coal Board.

The 3rd August, 1959

**MINISTRY OF FOOD & AGRICULTURE**

(Department of Agriculture)

*New Delhi, the 14th August 1959*

**S.O. 1829.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.R.O. 219 dated the 11th January, 1958, namely:—

In the Annexure to the said Notification, under head "A. Headquarters"—

- (1) after the entries in sub-head "1. NON-MINISTERIAL (TECHNICAL)", the figure and word "2. MINISTERIAL" shall be inserted as sub-head;
- (2) under sub-head "2. MINISTERIAL" against item 1, under column 2 for the letters, word and figure "CSS—Class III", the letters, word and figure "GCS—Class III" shall be substituted.

[No. 1-1/58-AM.]

V. S. NIGAM, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

*New Delhi, the 5th August 1959*

**S.O. 1830.**—In exercise of the powers conferred by clause (a) of section 2 of the Indian Cotton Cess Act, 1923 (14 of 1923), and in supersession of Government of Bombay Revenue Department Resolution No. 9499 dated the 8th July, 1926, the Central Government appoints with effect from the 1st October, 1959, the Collectors of Central Excise, Bombay, Baroda and Poona to perform in their respective districts in the State of Bombay the duties of a Collector under the said Act.

[No. 1-1/59-Com. IV.]

AJUDHIA PRASADA, Under Secy.

**MINISTRY OF TRANSPORT AND COMMUNICATIONS**

(Department of Commissions)

(P. & T.)

*New Delhi, the 14th August 1959*

**S.O. 1831.**—In exercise of the powers conferred by sub-section (2) of section 16 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendment to the Indian Post Office Rules, 1933, namely:—

In item (WI) of rule 183 of the said rules, for the words "and Assam" the words "Assam and Andhra Pradesh" shall be substituted.

[No. 24/6/59-CI.]

B. G. DESHMUKH, Under Secy.

**MINISTRY OF REHABILITATION**

(Office of the Chief Settlement Commissioner)

*New Delhi, the 20th July 1959*

**S.O. 1832.**—In exercise of the powers conferred on me by Sub-Section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954

1. Shri I. N. Chib, D.C.S.C.
2. Shri Gajendra Singh, D.C.S.C.
3. Shri T. C. Aggarwal, D.C.S.C.
4. Shri Y. L. Taneja, S.C.
5. Shri M. S. Chaddah, S.C.
6. Shri T. C. Gupta, S.C.
7. Shri C. P. Sapra, S.C.
8. Shri M. L. Viljh, S.C.
9. Shri G. B. Lalwani, S.C.
10. Shri H. C. Hans, S.C.

(44 of 1954), I hereby delegate with immediate effect, to the marginally noted officers, the following powers of the Chief Settlement Commissioner:—

1. Power to hear appeals under Section 23 of the said Act.
2. Power to hear revisions under Section 24 of the said Act.

[No. 11-A(43)/58/CSC/AI/III.]

**S.O. 1833.**—In exercise of the powers conferred on me by Sub-Section (2) of the Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954) read with rule 99 of the rules framed under Section 40 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) I delegate to S/Shri Mehar Singh Chaddah and Y. L. Taneja, Settlement Commissioners, with immediate effect, the following powers of the Chief Settlement Commissioner:—

1. Power to allocate Rehabilitation Grant Applications to the Settlement Officer by General or special order under Sub-Section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more persons to advise him in any proceeding pending before him, under Sub-Section (2) of Section 6 of the said Act.
3. Power to transfer any Rehabilitation Grant Application pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act.
4. Power to call for the record of any case decided by the Settlement Officer and pass order in the case under proviso to Sub-Section (3) of Section 4 of the said Act.

[No. 11-A/43/58-CSC(A/I)/V.]

**S.O. 1834.**—In exercise of the powers conferred on me by Sub-Section (2) of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954), I have delegated to S/Shri Mehar Singh Chaddah and Y. L. Taneja, Settlement Commissioners with immediate effect, the following powers of the Chief Settlement Commissioner:—

1. Power to transfer cases to Settlement Officers by General or special order under Sub-Section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more persons to advise him in any proceeding pending before him, under Sub-Section (2) of Section 6 of the said Act.
3. Power to transfer any case pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act.

[No. 11-A/43/58-CSC(A/I)/VI.]

L. J. JOHNSON, Chief Settlement Commissioner.

New Delhi, the 20th July 1959

**S.O. 1835.**—In exercise of the Powers conferred on me by Sub-Section (3) of Section 55 of the Administration of Evacuee Property Act (31 of 1950), I, L. J.

1. Sh. I.N.Chib, D.C.S. C Cum-D.C.G of E.P. Johnson, hereby delegate with immediate effect, all powers vested in me under the said Act to the marginally noted Officers.
2. Sh. H.C. Asthana, Custodian U.D.-Cum D. C G for U.P.
3. Sh. M.M. Gupta, Addl. Custodian U.P. Asstt. Custodian General for U.P.
4. Sh. R.L.Aggarwal, Appellate Officer-Cum-D.C.G. of U.P.

[No. 11-A/43/58-CSC/AI/IV.]

L. J. JOHNSON.  
Custodian General of Evacuee Property

## (Office of the Chief Settlement Commissioner)

New Delhi, the 10th August 1959

**S.O. 1836.**—Whereas the Central Government is of the opinion that it is necessary to acquire certain evacuee properties in the State of Uttar Pradesh specified in the schedule below for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule below.

## THE SCHEDULE

S.No.	Particulars of the evacuee property		Name of the town and locality in which the evacuee property is situated.	Name of evacuee
	Khasra No.	Area		
I		2	3	4
I.	1049/3	O-4-3	Jamautia Tehsil Dumaria-ganj Distt. Basti	Sri Shaukat Ali

[No. 2(1) Policy.II/58.]

M. L. PURI, Settlement Commissioner  
& Ex-Officio Under Secy

## MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 11th August 1959

**S.O. 1837.**—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, framed under section 5 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri M. N. Pancholy as Regional Provident Fund Commissioner for the whole of the State of Rajasthan vice Shri O. N. Sharma, Shri M. N. Pancholy shall work under the general control and superintendence of the Central Provident Fund Commissioner

[No. PF-I/31(609)59.]

**S.O. 1838.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri M. N. Pancholy, officiating Regional Provident Fund Commissioner, to be an Inspector for the whole of the State of Rajasthan for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil field or a controlled industry, vice Shri O. N. Sharma.

[No. PF-I/31(609)59.]

New Delhi, the 12th August 1959

**S.O. 1839.**—In pursuance of sub-clause (1) of clause 5 of the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, the Central Government hereby appoints the Stevedores Association Private Ltd., Cochin to be the Administrative Body for the purpose of carrying out the day-to-day administration of the said Scheme.

[No. Fac. 180(4)/58.]

New Delhi, the 13th August 1959

**S.O. 1840.**—In pursuance of clause 4 of the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby appoints Shri Ranjit Mookherjee as a member of the Calcutta Dock Labour Board vice Shri A. N. Chowdhury, resigned, and directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2316 dated the 8th October, 1956, namely:—

In the said notification, under the heading “*Members representing the employers of dock workers and shipping companies*”, in item (2), for the entry “Shri A. N. Chowdhury”, the entry “Shri Ranjit Mookherjee” shall be substituted.

[No. Fac. 175(21).]

New Delhi, the 18th August 1959

**S.O. 1841.**—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme 1952, the Central Government hereby appoints Shri J. Subbuswami, I.A.S. as Regional Provident Fund Commissioner for the whole of the State of Madras vice Shri M. V. S. Chowdary. Shri Subbuswami shall work under the general control and superintendence of the Central Commissioner.

[No. PF-I/31(582)/59.]

P. D. GAIHA, Under Secy.

New Delhi, the 13th August 1959

**S.O. 1842.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the matter of applications under section 33A of the said Act from certain workmen of the Palana Colliery.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI

PRESENT

Shri E. Krishna Murty, Central Government Industrial Tribunal.  
The 30th July, 1959.

Applications U/S. 33A of the Industrial Disputes Act, 1947

I.D. No. 95 of 1959

Between Jiwan Ram S/o Balu Ram, Mining Sirdar, Palana Colliery, Palana.

I.D. No. 96 of 1959

Between Ram Lal S/o Pooran Ram, Chairman, working as Boiler-Attendant, Palana Colliery, Palana.

I.D. No. 97 of 1959

Between Dhura Ram S/o Kishna Ram, Coal Cuttar, working as Mason Mazdoor, Palana Colliery, Palana.

I.D. No. 98 of 1959

Between Chandri D/o Nanu Ram, Loading Mazdoorin, Palana Colliery, Palana.

I.D. No. 99 of 1959

Between Ridhu D/o Kana Ram, Loading Mazdoorin, working as Mason Mazdoorin, Palana Colliery, Palana.

I.D. No. 100 of 1959

Between Jetha Ram S/o Poorba Ram, Wagon Loader, working as Surface Trammer, Palana Colliery, Palana.

I.D. No. 101 of 1959

Between Dhura Ram S/o Ameda Ram, Wagon Loader, working as Surface Trammer, Palana Colliery, Palana.

I.D. No. 102 of 1959

Between Narain Ram S/o Dhura Ram, Wagon Loader Surface Trammer, Palana Colliery, Palana.

I.D. No. 103 of 1959

Between Kalu Ram S/o Shera Ram, Wagon Loader, working as Surface Trammer, Palana Colliery, Palana.

I.D. No. 104 of 1959

Between Panki D/o Kumbha, Wagon Loader, Palana Colliery, Palana.

I.D. No. 105 of 1959

Between Shri Deepa Ram S/o Asha Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 106 of 1959

Between Pura S/o Anna Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 107 of 1959

Between Lalu Ram S/o Chaina Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 108 of 1959

Between Sheou Ram S/o Amra Ram, Timberman, Palana Colliery, Palana.

I.D. No. 109 of 1959

Between Hema Ram S/o Chaina Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 110 of 1959

Between Bhera Ram S/o Anna Ram, Coal Cutter, working as Mitti Cutter, Palana Colliery, Palana.

I.D. No. 111 of 1959

Between Hardas S/o Chaina Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 112 of 1959

Between Adoo Ram S/o Pooran Ram, Coal Cutter, Palana Colliery, Palana, working as Surface Mazdoor.

I.D. No. 113 of 1959

Between Guna Ram S/o Kheta Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 114 of 1959

Between Khema Ram S/o Durga Ram, working as Waterman, Palana Colliery, Palana.

I.D. No. 115 of 1959

Between Magha Ram S/o Ladhu Ram, Coal Cutter, working as Mitti Cutter, Palana Colliery, Palana.

I.D. No. 116 of 1959

Between Khema Ram S/o Biram Ram, Coal Cutter, working as Mitti Cutter, Palana Colliery, Palana.

I.D. No. 117 of 1959

Between Malla Ram S/o Dhanna Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 118 of 1959

Between Renwat Ram S/o Jetha Ram, Coal Cutter, working as Mason Mazdoor, Palana Colliery, Palana.

I.D. No. 119 of 1959

Between Sugna Ram S/o Lichha Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 120 of 1959

Between Chhoga Ram S/o Jetha Ram, Coal Cuiter, working as Mason Mazdoor, Palana Colliery, Palana.

I.D. No. 121 of 1959

Between Poora Ram S/o Ladhu Ram, Coal Cutter, Palana Colliery, Palana, working as Truck Loading Mazdoor.

I.D. No. 122 of 1959

Between Rekha Ram S/o Chatra Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 123 of 1959

Between Megha Ram S/o Tulchha Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 124 of 1959

Between Hira Ram S/o Swanta Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 125 of 1959

Between Lalu Ram S/o Shera Ram, Coal Cutter, working as Mason Mazdoor, Palana Colliery, Palana.

I.D. No. 126 of 1959

Between Narain Ram S/o Peera Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 127 of 1959

Between Hema Ram S/o Kheta Ram (Motta), Coal Cutter, working as Mitti Cutter, Palana Colliery, Palana.

I.D. No. 128 of 1959

Between Gopi Ram S/o Shri Nanak Ram, Surface Trammer, Palana Colliery, Palana.

I.D. No. 129 of 1959

Between Meera D/o Bheroon Ram, Wagon Loader, Palana Colliery, Palana.

I.D. No. 130 of 1959

Between Khetoori D/o Tlkoo, Wagon Loader, Palana Colliery, Palana.

I.D. No. 131 of 1959

Between Goverli D/o Hanuta Ram, Wagon Loader, Palana Colliery, Palana.

## I.D. No. 132 of 1959

Between Lichhma D/o Khinya Ram, Loading Mazdoorin, working as Mason Mazdoorin, Palana Colliery, Palana.

## I.D. No. 133 of 1959

Between Gogli D/o Jetha, Wagon Loader, Palana Colliery, Palana.

## I.D. No. 134 of 1959

Between Smt. Soni D/o Panna Ram, Wagon Loader, working as Mason Mazdoorin, Palana Colliery, Palana.

## I.D. No. 135 of 1959

Between Mangla Ram S/o Nanda Ram, Timber Mazdoor, Palana Colliery, Palana.

## I.D. No. 136 of 1959

Between Thakar Ram S/o Jlwan Ram, Pardah Mistry, working as Mason Mistry, Palana Colliery, Palana.

## I.D. No. 137 of 1959

Between Adoo Ram S/o Prabhu Ram, Coal Cutter, working as Mason Mazdoor, Palana Colliery, Palana.

## I.D. No. 138 of 1959

Between Kirta Ram S/o Keshara Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

## I.D. No. 139 of 1959

Between Ganga Ram S/o Bherun Ram, Coal Cutter, Palana Colliery, Palana.

## I.D. No. 140 of 1959

Between Govind Ram S/o Durga Ram, Coal Cuttar, working as Surface Mazdoor, Palana Colliery, Palana.

## I.D. No. 141 of 1959

Between Ram Lal S/o Dungar Ram, Coal Cutter working as Truck Loading Mazdoor, Palana Colliery, Palana.

## I.D. No. 142 of 1959

Between Banna Ram S/o Bhera Ram, Coal Cutter, Palana Colliery, Palana.

## I.D. No. 143 of 1959

Between Panna Ram S/o Bhairun Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

## I.D. No. 144 of 1959

Between Asu Ram S/o Sawanta Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

## I.D. No. 145 of 1959

Between Adoo Ram S/o Bharoon Ram, Coal Cutter, working as Mason Mazdoor, Palana Colliery, Palana.

## I.D. No. 146 of 1959

Between Manna Ram S/o Panna Ram, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 147 of 1959

Between Siya Ram S/o Amra Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 148 of 1959

Between Phusa Ram S/o Adu Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 149 of 1959

Between Udai Ram S/o Banna Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 150 of 1959

Between Ghasi Ram S/o Baxa Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 151 of 1959

Between Baxa Ram S/o Bheru Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 152 of 1959

Between Phusa Ram S/o Ganga Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 153 of 1959

Between Lurgoo S/o Bheya Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 154 of 1959

Between Shera Ram S/o Panna Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 155 of 1959

Between Mehraj Ram S/o Khema Ram, Coal Cutter, working as Mason Mazdoor, Palana Colliery, Palana.

I.D. No. 156 of 1959

Between Ashu Ram S/o Siji Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 157 of 1959

Between Ramu Ram S/o Purkha Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 158 of 1959

Between Sukh Ram S/o Deba Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 159 of 1959

Between Bhanwar Singh S/o Jor Singh, Coal Cutter, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 160 of 1959

Between Kheraj Ram S/o Perna Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 161 of 1959

Between Kistur Ram S/o Ishar Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 162 of 1959

Between Kimbha Ram S/o Phusa Ram, Coal Cutter, working as Truck Loading Mazdoor, Palana Colliery, Palana.

I.D. No. 163 of 1959

Between Bhopal Singh S/o Gulab Singh, Timberman, Palana Colliery, Palana.

I.D. No. 164 of 1959

Between Pooran Ram S/o Lichhman Ram, Onsetter, Palana Colliery, Palana.

I.D. No. 165 of 1959

Between Lalu Ram S/o Shri Ram, Timberman, Palana Colliery, Palana.

I.D. No. 166 of 1959

Between Peer Bux S/o Jamal Khan, Timberman, Palana Colliery, Palana.

I.D. No. 167 of 1959

Between Chima Ram S/o Kaloo Ram, Timber Mazdoor, Palana Colliery, Palana.

I.D. No. 168 of 1959

Between Adoo Ram S/o Ladhu Ram, Pointsman, working as Underground Trammer, Palana Colliery, Palana.

I.D. No. 169 of 1959

Between Sardar Ram S/o Amra Ram, Surface Trammer, Palana Colliery, Palana.

I.D. No. 170 of 1959

Between Rewant Ram S/o Koza Ram, Timberman, Palana Colliery, Palana.

I.D. No. 171 of 1959

Between Akoora Ram S/o Adoo Ram, Banksman, Palana Colliery, Palana.

I.D. No. 172 of 1959

Between Chatra Ram S/o Shera Ram, Pointsman, working as Mason Palana Colliery, Palana.

I.D. No. 173 of 1959

Between Hema Ram S/o Shera Ram, Underground Trammer, Palana Colliery, Palana.

I.D. No. 174 of 1959

Between Bhera Ram S/o Uda Ram, Signalman, working as Timberman, Palana Colliery, Palana.

I.D. No. 175 of 1959

Between Ram Swaroop S/o Narayan Ram, Underground Trammer, Palana Colliery, Palana.

I.D. No. 176 of 1959

Between Prahlad Ram S/o Uda Ram, Surface Mazdoor, working Coal Cutter, Palana Colliery, Palana.

I.D. No. 177 of 1959

Between Jora Ram S/o Kumbha Ram, Underground Trammer, Palana Colliery, Palana.

I.D. No. 178 of 1959

Between Jabar Deen S/o Jamal Khan, helper to Onsetter, Palana Colliery, Palana.

I.D. No. 179 of 1959

Between Taja Ram S/o Dana Ram, Onsetter, working as Surface Trammer, Palana Colliery, Palana.

I.D. No. 180 of 1959

Between Poorba Ram S/o Dhanna Ram, Timberman, Palana Colliery, Palana.

I.D. No. 181 of 1959

Between Manoo Singh S/o Anoop Singh, Onsetter, working as Onsetter, Palana Colliery, Palana.

I.D. No. 182 of 1959

Between Poorba Ram S/o Jiwan Ram, Underground Trammer, working as Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 183 of 1959

Between Moola Ram S/o Imarta Ram, Underground Trammer, working as Mason, Palana Colliery, Palana.

I.D. No. 184 of 1959

Between Ganga Ram S/o Sri Ram, Waterman, working as Boiler Mazdoor, Palana Colliery, Palana.

I.D. No. 185 of 1959

Between Kishna Ram S/o Malla Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 186 of 1959

Between Ashu Ram S/o Purkha Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 187 of 1959

Between Ratna Ram S/o Kheta Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 188 of 1959

Between Ashu Ram S/o Laloo Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 189 of 1959

Between Uda Ram S/o Jaisa Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 190 of 1959

Between Shera Ram S/o Kheta Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 191 of 1959

Between Phusa Ram S/o Jawana Ram, Underground Mason, Palana Colliery, Palana.

I.D. No. 192 of 1959

Between Shri Hira Ram S/o Shri Nanoo Ram, Coal Cutter, working as a Truck Loader Mazdoor, Palana Colliery, Palana.

I.D. No. 193 of 1959

Between Padma Ram S/o Kishana Ram, Underground Trammer, Palana Colliery, Palana.

I.D. No. 194 of 1959

Between Sukha Ram S/o Narpat Ram, Underground Trammer, Palana Colliery, Palana, working as Coal Cutter.

I.D. No. 195 of 1959

Between Heera Ram S/o Bhairun Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 196 of 1959

Between Moti Ram S/o Nanda Ram, Pointsman, working as Underground Trammer, Palana Colliery, Palana.

I.D. No. 197 of 1959

Between Nimba Ram S/o Nanu Ram, Underground Trammer, working as Coal Cutter, Palana Colliery, Palana.

I.D. No. 198 of 1959

Between Dula Ram S/o Sanwata Ram, Underground Trammer, Palana Colliery, Palana.

I.D. No. 199 of 1959

Between Ram Narayan S/o Shri Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 200 of 1959

Between Poorkha Ram S/o Bherun Ram, Surface Mazdoor, working as Underground Trammer, Palana Colliery, Palana.

I.D. No. 201 of 1959

Between Godhu Ram S/o Aidan Ram, Underground Trammer, Palana Colliery, Palana.

I.D. No. 202 of 1959

Between Adu Ram S/o Jetha Ram, Coal Cutter, working as a Surface Mazdoor, Palana Colliery, Palana.

I.D. No. 203 of 1959

Between Mukhna Ram S/o Bherun Ram, Banksman, Palana Colliery, Palana.

I.D. No. 204 of 1959

Between Noora Ram S/o Mangla Ram, Timber Mazdoor, Palana Colliery, Palana.

I.D. No. 205 of 1959

Between Bhera Ram S/o Prahlad Ram, Pakhalman, Palana Colliery, Palana.

I.D. No. 206 of 1959

Between Asu Ram S/o Ishar Ram, Underground Mazdoor, working as Underground Trammer, Palana Colliery.

I.D. No. 207 of 1959

Between Dhuda Ram S/o Hazari Ram, Coal Cutter, Palana Colliery, Palana.

I.D. No. 208 of 1959

Between Dhura Ram S/o Chimma Ram, Coal Cutter, working as a truck loader, Palana Colliery.

I.D. No. 209 of 1959

Between Bhani Ram S/o Ratna Ram, Surface Mate, Palana Colliery.

I.D. No. 226 of 1959

Between Purba Ram S/o Shri Keshra Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 227 of 1959

Between Kalu Ram S/o Shri Adu Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 228 of 1959

Between Dhura Ram S/o Khuma Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 229 of 1959

Between Rama Ram S/o Manna Ram, Surface Trammer, Palana Colliery.

I.D. No. 231 of 1959

Between Adu Ram S/o Shri Manna Ram, Belgadi Wala, Palana Colliery, Palana.

I.D. No. 232 of 1959

Between Chuna Ram S/o Shri Banna Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 233 of 1959

Between Heera Ram S/o Mangala Ram, Surface Mazdoor, Palana, Colliery.

I.D. No. 234 of 1959

Between Kesha Ram S/o Shri Adoo Ram, Mitti Cutter, Palana Colliery.

I.D. No. 235 of 1959

Between Gulab Rai S/o Dulla Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 236 of 1959

Between Rewat Ram S/o Kheta Ram, Surface Trammer, Palana Colliery.

I.D. No. 237 of 1959

Between Ram Karan S/o Shri Kumbha Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 238 of 1959

Between Dula Ram S/o Bhairun Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 239 of 1959

Between Kirta Ram S/o Bhera Ram, Mason Mazdoor underground, Palana Colliery.

I.D. No. 240 of 1959

Between Bhura Ram S/o Hardas Ram, Surface Trammer, Palana Colliery.

I.D. No. 241 of 1959

Between Chola Ram S/o Bhani Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 242 of 1959

Between Ramu Ram S/o Ishar Ram, Underground Trammer, Palana Colliery.

I.D. No. 249 of 1959

Between Bhoora Ram S/o Hema Ram, Truck Loading Mazdoor, Palana Colliery.

I.D. No. 250 of 1959

Between Luna Ram S/o Hema Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 251 of 1959

Between Jaisha Ram S/o Panna Ram, Pakhalman, Palana Colliery.

I.D. No. 338 of 1959

Between Mana Ram S/o Shri Adoo Ram, Surface, Mazdoor, Palana Colliery.

I.D. No. 339 of 1959

Between Bhagwana Ram S/o Rawat Ram, Surface Trammer, Palana Colliery.

I.D. No. 381 of 1959

Between Lalu Ram S/o. Anna Ram, Timber Mazdoor, Palana Colliery.

I.D. No. 382 of 1959

Between Dula Ram S/o. Bheron Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 383 of 1959

Between Chunna Ram S/o. Banna Ram, Surface Mazdoor, Palana Colliery.

I.D. No. 384 of 1959

Between Ado Ram S/o. Kheraj Ram, Coal Cutter, Palana Colliery.

C/o.

Palana Colliery Mazdoor Union, Administrative Office, Khazanchi Building,  
K. E. M. Road, Bikaner ... Applicant.

AND

The management of Palana Colliery, Palana ... Opposite Party.

In the matter of Reference I.D. No. 81 of 1958.

Dr. Jawahar Lal—for the applicants.

Shri M. G. Fell—for the opposite party.

AWARD

These several petitions have been filed under Section 33A of the Industrial Disputes Act.

2. The allegations in the several petitions are practically identical, and they are to the effect, that the opposite party, the management of Palana Colliery, Palana, contravened the provisions of Section 33 of the Industrial Disputes Act, that the petitioners are the concerned workmen in I.D. No. 81 of 1958, that they are all permanent workmen of the Mines, that the opposite party altered to their prejudice, the conditions of service applicable to them by imposing compulsory lay-off on them on the days from 15th to 21st January, 1959, that such lay-off was imposed on the petitioner with a *mala fide* intention, and with a view to demoralise them, that such lay-off is unjustified, that it is in contravention of Section 2(kkk) of the Industrial Disputes Act, that such lay-off has been resorted to by the management without taking permission from the Tribunal, that there has also been violation of the Standing Orders, and that suitable relief should be awarded to the petitioners.

3. The management contend, that there has been no contravention of the provisions of Section 33, that the lay-off is not connected with the dispute, that it was not necessary to obtain any permission of the Tribunal for resorting to lay-off, that these applications under Section 33A are not maintainable, that the lay-off is justified, that the lay-off is a statutory condition of service, that

the management had acted only in accordance with law, that there has been no violation of any Standing Orders, and that all the applications should be rejected.

4. The issues, that arise for determination, are:—

- (1) Whether the lay-off is justified, and is in accordance with law?
- (2) Whether there is a contravention of Section 33 of the Industrial Disputes Act?
- (3) Whether these several petitions are maintainable?
- (4) To what relief, if any, are the several petitioners entitled?

#### Issue No. 1.

5. These several petitions arise out of I.D. No. 81 of 1953, which is an industrial dispute between the management of Palana Colliery, Palana, and its workmen. The several petitions contain practically identical allegations, and the defence is also common. They have all been tried together at the request of parties, and the common evidence has been recorded in I.D. No. 95 of 1959, and all these petitions are disposed of by a common judgement.

6. The several petitioners claim to be permanent workmen of the Colliery. They were laid-off on several dates between the 15th and 21st January, 1959. Ext. M/2 is a notice, that was put up by the management on 15th January, 1959, to the effect, that, as a notice had been received from Bikaner Power House, that there would not be full supply of power for about 5 or 6 days, the work in the Colliery would be stopped from 16th January, 1959, except that workers, connected with water supply and workshop, and Chowkidars, would be attending to their normal duty, as usual. The contention on behalf of the management is, that the lay-off had to be resorted to because of shortage of power supply. Ext. M/1 is the copy of the notice, that is said to have been received from the Bikaner Power House, which admittedly was supplying power to the Palana Colliery. This notice is dated 12th January, 1959, and it is mentioned therein, that, due to cleaning of turboset from 15th January, 1959, for about 5/6 days there would be irregular supply of electricity on various feeders keeping the essential services, like Water Works, and Hospitals, only going. It is further mentioned, that every attempt would be made to complete the work within the stipulated time, or earlier, and resume supply at the earliest. The inconvenience to consumers was regretted, as the work was very essential, and could not be postponed.

7. According to the case of the management of the Colliery, owing to this interruption in power supply, there was power shortage from 15th January, 1959 for about 5/6 days. The steam boiler operates on water, and, as the water supply could not be guaranteed, owing to interrupted supply of electricity, it was not possible to proceed with coal production. In addition, the stock of lignite had nearly doubled since the beginning of the month due to the Bikaner Power House not accepting supply, and the danger of catching fire could not be ignored. Consequently all work in the Colliery was stopped, except for repair work, and maintenance work to machinery, for which workers, under the charge of the Head Fitter, and workshop staff were deputed. The Colliery water well staff were also kept on duty to ensure supply of water for drinking purposes and for washing out of the steam boiler. Chowkidars were also kept on duty for the purpose of safe-guarding property. The workmen, who were on the muster rolls, could not, therefore, be given work in the above circumstances, and were laid-off. Those, who had completed one year's continuous service, were paid lay-off compensation in accordance with law.

8. In support of the management's case, we have the evidence of Shri M. G. Fell, the Mines Manager. According to his evidence, the Bikaner Power House issued a notice in terms of Ext. M/1. Having experience of irregular supply of power and consequent shortage of water, which had been experienced upto that time, and also in the previous month, and being afraid of further irregular supply on account of over-hauling of Power House machinery, it was decided, to take advantage of the situation to thoroughly clean and wash out and descale the steam boiler. The Inspector of Boilers, when he examined and tested the boiler, for working in July, 1958, had remarked, that the boiler surface inside was covered with scaling, and that it should be descaled at the first opportunity. Therefore, he took this opportunity to wash out the boiler. From the second relay on 15th January, 1959 he stopped the work. The boiler had to be cooled off before any work of descaling could be done. On 16th the boiler fittings were opened, and the boiler was attended to from 16th to 19th, 18th being a Sunday.

Certain masonry repairs were also attended to. As the notice issued by the Power House indicated shortage of power for 5/6 days, the boiler was filled on the 20th, and gradually it was warmed up. Work was resumed on the 21st. It will thus be seen, that, according to the management, the lay-off had to be resorted to primarily because of the shortage of supply of electricity. There is no doubt at all, that in fact there was shortage of supply of electricity from the Bikaner Power House, as proved by Ext. M/1. The book "Mineral Resources of Rajasthan, issued by the department of Mines and Geology, Government of Rajasthan," has been referred to before me by Dr. Jawahar Lal for the workmen in this connection. At Page 7 the following observations occur:—

"A horizontal Lancashire boiler is used for generating steam power to hoist lignite from the mine as well as to run the lift cages used by the miners. The winding engines driven by electricity are also used. The ventilation is provided by large fans driven by electricity. The lignite is removed from pit-head in wagons by means of railway siding connecting the mine with the Palana railway station on the Northern Railway."

It will be seen, that without the boiler being used, it was not possible to work the mines. The boiler was necessary for generating steam to hoist lignite in the mines, as well as to run the cages used by the Miners. The winding engines required electricity for their use. Ventilation was provided by large electric fans. The supply of electricity was all important for the purpose of work in the mines. When the Bikaner Power House gave notice of interrupted power supply, and therefore, shortage of power for 5/6 days, and when they intimated, that only essential services, like Water Works and Hospitals, would be kept going, it is fair and reasonable to hold, that the management were fully justified in laying-off the workers. Without adequate and full power supply the mines could not be worked. The boiler was all important, and it needed water for its being used. When there was no possibility of full power supply there was no possibility of the boiler being used without adequate water supply.

9. However evidence has been led on behalf of the workmen to prove, that there was enough and adequate water supply. WW1 is Shri Khat Ram, who is a Pump Driver, working in the Colliery Water Well at Palana. According to his evidence, he was on duty during the entire period of lay-off, so also the other workers working in the Water Works. The reservoir is 14' x 20' x 9'. Every day there was running of the pump and water was being pumped up by electricity. The water supply was all right. While supplying 1½ feet of water from the reservoir level, there was still 3 or 4 feet water in the reservoir. For all the three shifts in the working pit 4 feet of water in the reservoir was necessary, and this much water was available in all the days of lay-off. In cross-examination he states, that there was interrupted supply of electricity during the day, but continued supply during the night. There was quite enough supply of electricity, both day and night, to enable enough water to be pumped in the reservoir. He says, that he has been working in the Colliery for the last 20 years without any blemish. I however prefer to believe the evidence of the Manager in this connection. It is improbable, that, with insufficient and interrupted power supply, enough water was available for running the steam boiler. The evidence of WW1 is unbelievable, and is put-forward merely with a view to help the workmen. I am satisfied with the truth of the evidence of Shri Fell, the Manager, that there was not enough and sufficient water at any time during the lay-off period to work the pits, as also to meet the other demands of the Colliery. Supply of water for purposes of drinking and for domestic purposes was the primary concern of the management during the time of interrupted power supply. It is quite likely that the working of the pumps, just ensured water supply for the domestic needs of the Colliery. I am not able to hold, that, during these days of lay-off, there was enough water, which could have been pumped up in sufficient quantity to enable the boiler to be run.

10. Attention has however been drawn by Dr. Jawahar Lal to the notice, Ext. M/1, wherein it is mentioned, that the Power House would maintain power supply to Water Works and Hospitals, and that this shows, that during the period of lay-off there was enough supply of power to enable sufficient quantity of water to be pumped from the water well to enable the working of the pits. I am unable to accept this contention. In my opinion the words "water works" can have reference only to the scheme of water supply, in places served by the Power house, to enable supply of water for drinking and domestic purposes. Even taking the most lenient view, it could only mean, that in the Palana Colliery there was enough supply of electricity to enable adequate water to be pumped for drinking and domestic purposes. It can by no means be said, that the Power House agreed

to supply of adequate power to enable the mines to be worked. It is however argued by Dr. Jawahar Lal, that Shri Fell admits that during the lay-off from 16th to 21st he might have kept some workers on siding work, for supplying whatever water was got, by water tanks, to the reservoir at the old pits, from where Camelmen took water to the new pits, for boiler and other use. About 7 Tank Pushers may have taken water to the old pits. There were 19 Camelmen on duty from 19th to 20th only. They had sufficient work to do on 19th and 20th. It is argued, that the fact, that Tank Pushers and Camelmen were employed, shows, that there was water supply to enable pits to be worked. I am unable to agree. As already indicated, Shri Fell was anxious to maintain supply of water for domestic and drinking purposes in the Colliery. It is only on the 19th and 20th, that 19 Camelmen are admitted to have been on duty. Shri Fell has no idea as to the exact quantity of water transported by each Camelmen to the pits. He admits, that every Camelmen takes about 7 to 8 loads of water (Pakhals). He cannot say off hand the quantity of water required to run a pit, or whether 30 "pakhals" are sufficient to run a pit. This evidence cannot at all be taken to mean, that there was adequate water supply even on the 19th or 20th, to enable the mines to be worked. On the other hand, it is important to note, that the evidence of Shri Fell discloses that the boiler was filled on the 20th, and it had to be gradually warmed up. This enabled the resumption of work on the 21st. The transport of water on 19th and 20th is easily explained by the need for getting the boiler ready to enable work to be resumed on the 21st. This does not at all support the contention on behalf of the workmen. It is established on the evidence, that whatever power was supplied was just sufficient to operate the pumps in order to enable the Colliery to supply sufficient water for drinking purposes and for domestic needs, and also for washing out of the steam boiler and not for working the mines.

11. Another fact to be noticed is, that to enable work in the mines to go on, continued supply of electricity was absolutely necessary. It was also necessary for running the fans to ensure ventilation and to run the winding engines. With shortage of power it was not possible to carry on these operations, and the management had no alternative except to stop working the mine.

12. It is however argued, that a number of workmen were employed during the period of lay-off, that this shows, discrimination that the motive of the management in laying off the present petitioners was victimisation, and that, in these circumstances, the lay-off cannot be defended. It is admitted by Shri Fell, that the workmen mentioned in the list, Ext. W/9A and marked by him as serial numbers 1-23 were on duty during the lay-off period, from 16th to 20th January. A perusal of Ext. W/9A would show, that these workmen comprised Fitter, Head Fitter, Black Smith, Hammer man, Boiler Attendant, Motor Mechanic, Machinists, etc. As stated above, the inaction caused by the interrupted power supply was taken advantage of by Shri Fell to have the boiler descaled. There was nothing wrong in doing so. He was merely carrying out the instructions of the Chief Inspector of Boilers, who had demanded, that the boiler should be descaled at the earliest opportunity. If the boiler was to be descaled, it was necessary to open it up, and the services of the Fitters and the others workshop men were absolutely necessary. Nos. 1-6 were skilled technical hands, and they were provided with Assistants, Nos. 9-15, though on other occasions they may not have worked as Assistants. Nos. 10-15, 20 and 22 were connected with the working of pits. Nos. 17, 18 and 19 were doing work connected with truck loading. I fail to see how it can be held, that, when these persons, whose services were essential, were retained to do duty during the lay-off period, it can be held, that there was victimisation of the several petitioners. It was not possible to give work to the several petitioners, because the working of the mines was stopped, and the primary cause therefor was the shortage of power.

13. The next contention, that has been raised before me, is that some of the petitioners are included in the categories of Wagon Loaders and Truck Loaders that there was no need to lay them off, and that there was enough work for them. The evidence of Shri Fell is, that there were some loaded wagons, which had been loaded on the siding, but they were there because the railway had not pulled them off. He says, that the practice is, for him to inform the Bikaner Division of the Northern Railway, as to the wagons required, 24 hours earlier. Then wagons are supplied by the railway. They may be more or less than the wagon asked for. However on 15th January, 1959 the stock of coal was 1778 tons and 15 cwt. The despatches between 15th January, 1959 and 21st January, 1959 amounted to 371 tons and 15 cwt. The work of loading this, was done by piece rated wagon loaders, and Truck Drivers, who were not driving the Trucks, and this despatch was on 19th and 20th. It is not as though, that there was enough work for all Wagon Loaders, so that they could be employed. The evidence of Shri Fell shows, that

there was a large accumulation of stock of lignite. The evidence also establishes, that the Bikaner Power House did not take any lignite on many days in the previous month, and also in January Shri Fell came to know, that some lignite would be received about the 19th. Then he engaged men on the 19th and 20th for transporting lignite. When there was already accumulation of stocks there was no purpose in further adding to the stocks by working the coal mines. As Shri Fell says, there was no use raising coal unless it was disposed of as soon as possible. At page 7 of the Book, already referred to, it is stated, that due to the soft and friable nature of lignite and its susceptibility to spontaneous combustion, it is not possible to extend the working far to the interior and roof falls. When there was danger of spontaneous combustion, there was no point in further adding to stocks that had already accumulated. There is no force in the criticism, that work should have been provided to Wagon Loaders and Truck Loaders. There was no arrangement for supply of lignite to others, other than the Power House at Bikaner. Mr. Fell got notice from the Power House, intimating, that they would stop taking lignite from the mines. In January there were despatches of coal only for 6 days. There was also no supply of wagons due to large supply of Bengal coal in the Power House. Screening of coal also became necessary as objection was raised by the Power House to the existence of dust and small pieces. It is perfectly well established, that, due to circumstances beyond the control of the management, they were obliged to stop all working of the mines. They had to keep on duty only such persons as were required for cleaning the boiler, the well workers and the chowkidars. The theory of victimisation is baseless.

14. It is next argued, that there was no necessity to stop work on the boiler for 5/6 days, that generally maintenance work was attended to on Sundays, and that the contention of the management, that they closed down all working in the mines because of stoppage of the boiler, is of no force. This contention also is untenable. As is clear from the evidence of Shri Fell, there was need for descaling the boiler. This could not have been attended to on the weekly off days. Owing to the interrupted power supply it was not possible to work the mines. This opportunity was taken advantage of to descale the boiler, which required some days for its completion. There is no force in the argument, that there was no necessity for the lay-off, and that the descaling could have been attended to on any one of the weekly off days.

15. On a consideration of the entire evidence, and all circumstances, I find, that the lay-off is fully justified, and that it is within the terms of Section 2(kkk) of the Industrial Disputes Act. Shortage of power supply and accumulation of stocks are good reasons for lay-off. It is also in accordance with the Standing orders. I further find that it is *bona fide*, and was resorted to in circumstances beyond the control of the management, and that it is *mala fide*, and that the several petitioners were not laid off with a view to victimising them.

#### Issue Nos. 2 & 3

16. The contention on behalf of the workmen is, that even assuming, that the lay-off was justified, still the action of the management is illegal, because the prior permission of the Tribunal was not taken. It is urged on behalf of the Union, that Section 33(1) of the Industrial Disputes Act applies to the facts of this case. I am unable to up-hold this contention. It is no doubt true, that all the workmen, the several petitioners, are concerned in the dispute, but the lay-off was in respect of matters unconnected with the dispute. The references raises the question of wage structure for the several workmen. Section 33(1) cannot apply to the facts of the present case.

17. These several petitions are governed by Section 33(2) of the Industrial Disputes Act. Even then, it cannot be held, that there is any contravention of that section, on the ground, that there was an alteration of the conditions of service of the several petitioners. The management are entitled to lay-off workmen in certain circumstances. Under Section 2(kkk) there is the statutory right which the management have of resorting to lay-off and the workmen are under an obligation to suffer this disability by virtue of the provisions of the Industrial Disputes Act. The condition of being laid-off is a statutory condition. When such lay-off is justified, and it is in accordance with Section 2(kkk) of the Industrial Disputes Act, it is not possible to hold, that there is any alteration of the conditions of service.

18. It is however argued, that, according to the Standing Orders, there can be no alteration, or stoppage of shift, except in consultation with the Union, and that the lay-off, that was resorted to without consultation of the Union, is not

valid. This contention also is of no force. On the facts of the present case, we are dealing with a case of lay-off according to statute. The statute has the effects of over ridding the provisions of the Standing Orders. When lay-off is a statutory condition of service, it is futile for the workmen to rely upon the Standing Orders. When the lay-off is justified, as I have found above, and when it is permitted by law, and when it is statutory condition of service, I am unable to hold, that there is any alteration of the conditions of service within the meaning of Section 33(2). There is no contravention therefore of Section 33 in any manner. In the absence of contravention of this section, the several petitions under Section 33A of the Industrial Disputes Act are not maintainable.

#### Issue No. 4

19. When the lay-off is justified, and when these petitions are not maintainable, the several petitioners are not entitled to any relief.

20. In the result, all the several petitions are dismissed. No order as to costs.

21. An award is passed in each of the said petitions accordingly in the above terms.

(Twenty one pages)

*The 30th July, 1959.*

E. KRISHNA MURTI,  
Central Govt. Industrial Tribunal, Delhi.

[No. LRII-4(14)/59.]

#### ORDERS

*New Delhi, the 13th August 1959*

**S.O. 1843.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhagaband Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management was justified in stopping the payments of Sirdari commission to the following nine workmen with effect from 12th April 1959;

1. Shri Ramdeo Shaw
2. Shri Amar Singh
3. Shri Bomkesh Chatterjee
4. Shri T. M. Banerjee
5. Shri Barhan Shaw
6. Shri Jiblal Turi
7. Shri A. K. Singh
8. Shri B. K. Sarkar
9. Shri R. C. Shaw

2. If not, to what relief are they entitled and with effect from what date?

[No. F. LRII/1(47)/59.]

*New Delhi, the 14th August 1959*

**S.O. 1844.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Tandur & Navandgi Stone

Quarries (P) Ltd., P.O. Basheerabad (Andhra Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment to this Ministry's Order No. LRII-63(11)/58 dated the 1st May, 1959, published as S.O. 1059 in Part II, Section 3, Sub-Section (ii) of the Gazette of India dated the 9th May, 1959, namely:—

In the Schedule to the said Order, after item (e) the following items shall be added, namely:—

- (f) What shall be the rate of wages per 1,000 cubic feet of dind breaking and from what date it shall be operative?
- (g) What shall be the rates of wages per 100 square feet of stone sizing and stone cutting for each of these operations and for combined operations, and from what date the rates shall be operative?
- (h) What shall be the daily rates of wages for unskilled mazdoors—men and women—and from what date the rates shall be operative?
- (i) What shall be the rate of wages per 1,000 cubic feet of earth work and from what date it shall be operative?
- (j) What shall be the rates of wages for loading and unloading lorry, for each of these operations and for both the operations together; and from what date the rates shall be operative?"

[No. LRII-63(II)/58.]

**S.O. 1845.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pichri Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

1. Having regard to the nature of duties performed by Shri Janardan Prasad Sharma, what should be the wages payable to him by the management of Pichri Colliery as per the Award of the All India Industrial Tribunal (Colliery Disputes) as modified by the decision of the Labour Appellate Tribunal, and with effect from what date?
2. Whether the management of Pichri Colliery was justified in terminating the services of Shri Janardan Prasad Sharma with effect from 1st April, 1959, and if not, to what relief is he entitled?

[No. F. LRII-2(128)59.]

PYARE LAL GUPTA, Under Secy.

New Delhi, the 14th August 1959

**S.O. 1846.**—In pursuance of rule 3 (3) of the Mica Mines Labour Welfare Fund Rules, 1948, the Central Government hereby appoints, with effect from the afternoon of the 13th July 1959, Shri M. N. Pancholi Labour Commissioner, Rajasthan, in place of Shri Om Kar Nath Sharma, as member and Chairman of the Mica Mines Labour Welfare Fund Advisory Committee for Rajasthan Constituted in the notification of the Government of India, Ministry of Labour & Employment No. S.O. 712 dated the 24th April 1958, published at p. 475 of the Gazette of India part II, Section 3, Sub-section (ii), dated the 3rd May 1958.

This notification shall be deemed to have come into force on the 13th July 1959 Afternoon.

**MINISTRY OF INFORMATION AND BROADCASTING  
ORDER**

New Delhi, the 13th August 1959

**S.O. 1847.**—In exercise of the powers conferred by section 6 of the Cinematograph Act, 1952 (37 of 1952) and in supersession of this Ministry's S.O. No. 1319 dated the 1st June 1959 the Central Government hereby directs that—

- (1) on and from the 16th August, 1959, the film "Shararat" (Revised) (Hindi) in respect of which a "U" Certificate No. 26717, dated the 15th January, 1959, has been granted to Roshni Films, Bombay, shall be deemed to be a film in respect of which an "A" Certificate has been granted, and
- (2) the sequences specified in the Schedule to this Order shall be excised from all copies of the film and the certificate granted in respect of the film shall be produced before the Board of Film Censure for necessary amendment thereof before the 16th August, 1959.

**SCHEDULE**

Reel No. 3.—Reduce scenes of teasing of Shabnam by Chandan including the verse "Ham ko poora yakin hai apni thandi aahon ka, ek na ek din pehnenge ham haar kisi ke bahon ka" in the song beginning with "khol de khidki chahat ke nam pe". (Total footage reduced 139 feet in two bits of 88 ft. and 51 feet).

[No. 9/6/59-FC.]

D. R. KHANNA, Under Secy.

